

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:10-CV-133-DCK**

**KENNETH E. CHURCH and KEN E.
CHURCH ENTERPRISES, LLC,**

Plaintiffs,

v.

HOME FASHIONS INTERNATIONAL, LLC,

Defendant.

ORDER

THIS MATTER IS BEFORE THE COURT *sua sponte* regarding scheduling. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review of the status of this case is appropriate.

On May 1, 2012, the undersigned held a Final Pretrial Conference in this matter. Based on the parties' pretrial briefs, and discussions with counsel at the conference, the undersigned became persuaded that this matter is not yet ripe for a jury trial. Rather, it appears that there are legal issues to be considered by the Court that the parties only recently fully recognized, and that the Court may benefit from additional discovery and/or motions practice related to these questions of law. Moreover, the parties' counsel have informed the undersigned's staff that they are available for a trial during the Court's next civil term, beginning on August 6, 2012, and that they each favor some limited additional discovery. As such, the undersigned will continue the trial currently scheduled to begin on May 7, 2012, and set some revised case deadlines.

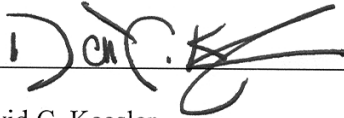
At this time, the Court will limit any additional discovery to one (1) deposition per side. If either party wishes to conduct any other discovery, they shall file a request with the Court, jointly if possible, describing in detail the discovery they seek.

IT IS THEREFORE ORDERED that deadlines for this case are revised as follows:

Discovery / Depositions	June 8, 2012;
Motions	June 15, 2012;
Final Pretrial Conference	July 31, 2012;
Trial	August 6, 2012.

SO ORDERED.

Signed: May 2, 2012



David C. Keesler
United States Magistrate Judge

